

**VIGO COUNTY COUNCIL**  
**Minutes**  
**Final Abatement Compliancy**  
**Tuesday, June 30, 2009 at 1:00 P.M.**

**Pledge of Allegiance**

Meeting called to order at 1:04 p.m. Pledge of Allegiance led by President, Kathy Miller.

**Calling of the roll**

**Roll Call.**

**Present:** Bill Bryan, Brad Anderson, Tim Curley, Mark Bird, and Kathy Miller. Mr. Ed Ping has been delayed and is on his way.....he arrived at 1:10 p.m.

**Absent/Excused:** Darrick Scott.

**Public comment**

There was none.

**Communications from elected officials of the County**

There was none.

**Communications from other officials or agencies**

There was none.

**Review compliance forms**

**a. Boral Brick, Inc**

Larry (inaudible), director of Ginovus, addressed the council. Paul Samples and Greg Camp joining him in the presentation. Boral is the largest clay, brick, and masonry manufacturer in the United States. The facility opened 15 months ago. It does significant dollars in building, equipment, employees, etc. They are a green energy, zero waste facility. The facility is LEED certified. Serves six (6) states. The housing market has experienced a downturn that has had an effect on Boral and other industries. Fiscal year 2008 and 2009 were down. Higher energy costs, pricing were steady in spite of the downturn. Capital investment was 17.5 million in the building plus personal property of approximately 39 million. Four months ago all employees but a few were temporarily laid off because of economic conditions. They expect to resume production by

Dec 2009. Boral intends the facility will be up and running as soon as the market stabilizes. Still plan to hold to their job commitments as well (150 new jobs by 2010). Barring unforeseen circumstances they hope to be back on track by end of this year. Abatement is very important to them and without this abatement it will further affect their ability to get this facility back up and running and continue with their commitment. They are asking for consideration of the abatement. Councilman Bird asked if this was one of the companies that failed to report their real property tax? Mr. Seprodi, auditor, advised that the question on them was suspended employees and operation. They have just addressed the issue.

Councilman Anderson asked, “is the personal property tax for 2010? Yes, per Cheryl Loudermilk, and real property tax is for 2008 payable this year (2009). Councilman Bryan asked why they had been building bricks and inventorying them when there was no sale of them yet? Because market share and presence was there previously. It is not a “build to order” plant, they have inventory in hopes of selling them. The intent was never to build a 58 million dollar facility and just let it sit there. They are still shipping brick (inventory of 37 million brick in Feb, down to 26 million now)...shipping 1.5 to 2 million a month.

Councilman Bryan asked if decision had to be made today. Mr. Effner, council attorney, advised that it was not necessary today but soon thereafter. If the termination of abatement is forthcoming, then a resolution is needed. If it’s okay, then withdraw the termination of abatement or move to approve abatement. **Motion:** to approve existing abatement, Action: Approve, **Moved by** Mark Bird, **Seconded by** Tim Curley.

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes =6).

**Yes:** Bill Bryan, Brad Anderson, Ed Ping, Tim Curley, Mark Bird, and Kathy Miller.

b. **Certainteed Corp**

Jeff Effner, plant manager of Certainteed along with Leslie Rueben and Sarah Rueben with Rueben Advisors addressed the council. They apologized for filling out the forms wrong. Their documents were filed by May 15<sup>th</sup> deadline but filed incorrectly as actual data was missing per Ms. Rueben. They are facing a crisis just as Boral due to the housing industry. They are able to run on a reduced schedule while still employing people. They have exceeded their goal as far as payroll goes. Councilman Anderson asked if the company was able to manufacture anything else? Strictly siding, backer board, etc., all having to do with residential construction. 85% of business is solely new homes that have been affected by the market. He doesn’t know when the plant can get back to full capacity, hopefully by the end of the year, but won’t guarantee it.

They are still investing in the plant and plan to be here a long time with 145 + jobs when plant is at full capacity. Have 81 employees right now and are trying to preserve their people.

President Miller advised that the reason they are here is that council did not have real and personal forms filled out correctly. Ms. Rueben stated that the forms were filed but actual data was missing. Mr. Effner has now provided revised, corrected forms. He was advised that an extension to submit correct forms can be granted and the auditor, Mr. Seprodi, has no problem with that if it's necessary in the future. Ms. Rueben acknowledged.

**Motion:** to approve existing abatement based on having corrected forms,

**Action:** Approve, **Moved by** Brad Anderson, **Seconded by** Ed Ping.

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 6).

**Yes:** Bill Bryan, Brad Anderson, Ed Ping, Tim Curley, Mark Bird, and Kathy Miller.

c. **Futurex Industries, Inc**

Lou Briton and Steve Prevo addressed council. Futurex was the initial occupant at the Industrial Park. They took a leap of faith. Things haven't worked out as well as they hoped, they had a fire a few years ago and have lost a lot of business to China as so many have.

This abatement was approved in 1998 or 1999. On the compliance forms they show original estimation of what could be done. Except for employment, all numbers have been exceeded. Personal property exceeds as well as real estate. Futurex paid on one million nine hundred thirty thousand dollars last year. Have over 2.5 mil dollars invested in buildings and land improvement. They have 96,000 under square roof. Would like to have 140 employees, they even moved some Georgia employees here. They have not asked for additional abatements. There's very little left to abate. Initial objection by council was downturn of employment (140 down to 48). Mr. Briton advised that per employee wage is substantially higher than originally paid to employees. Councilman Anderson stated that abatement runs out in 2010. Councilman Bryan asked council attorney Effner, "what happens if they come back next year and want another ten year abatement?" Mr. Effner said he wouldn't contemplate that request being on an existing facility. **Motion:** to approve existing abatement, **Action:** Approve, **Moved by** Brad Anderson, **Seconded by** Mark Bird.

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 6).

**Yes:** Bill Bryan, Brad Anderson, Ed Ping, Tim Curley, Mark Bird, and Kathy Miller.

At 2:10 council president Miller advised we would take a break until 2:30 appointment.

**Council back in session at 2:30 p.m.**

**d. Landstone Corp**

Originally Monikers (2001-2002), which went bankrupt. New owner took over business and the abatement went with business.

Rick Braden addressed council. Advised Jerry Modesitt purchased business from bankruptcy. They manufacture concrete block pavers for landscaping and other items. They have worked for the last few years trying to build the business back up. The economy has also hurt them as well as others. They feel they are now back on track. They had previously met with Kylissa Miller, chief deputy auditor, to find out what was missing from the forms. Mr. Modesitt has invested over one half million dollars and has been busy keeping the business going and keeping the employees they have on staff. Councilman Anderson advised he was called in because forms were not complete but appreciated the information he has given the council. Mr. Seprodi, auditor, advised Mr. Braden that he would have to file new signed forms as soon as possible with the auditor and assessor office. **Motion:** to approve existing abatement, **Action:** Approve, **Moved by** Brad Anderson, **Seconded by** Tim Curley.

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 6).

**Yes:** Bill Bryan, Brad Anderson, Ed Ping, Tim Curley, Mark Bird, and Kathy Miller.

**e. Novelis Corp**

Mr. Barry Miller, plant manager addressed council. Plant built in 1980's. Products sold throughout North America. They have continued to improve the plant. Question on abatement seems to be a difference in employment numbers. Employment numbers are smaller but wages have increased to over 14 million dollars in 2008. There is only one (1) year left on the abatement. **Motion:** approve abatement compliancy, **Action:**

Approve, **Moved by:** Bill Bryan, **Seconded by:** Brad Anderson.

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 6).

**Yes:** Bill Bryan, Brad Anderson, Ed Ping, Tim Curley, Mark Bird and Kathy Miller.

Council president Miller advised we recess while we try to contact Wabash Valley to see if they can come in early.

Council in recess at 2:40 p.m.

Council back in session at 3:00 p.m.

*f.* **Phoenix Projects LLC/Wabash Valley Packaging Corp.**

Ward Hubbard, President of Wabash Valley Packaging Corporation addressed the council. The question to him was the number of employees and salaries listed on the compliance form. They had listed 45 employees with 2+ million dollar payroll and have not made that number. Mr. Hubbard advised that when they initially asked for the abatement in 2000 they were truly estimating their future number of employees that they would need based on experience and the information they had at the time. They could not project the recession that has since hit. Columbia House was a big customer of corrugated cardboard boxes and closed. Pfizer/Exubera was to be a big customer. At the time of these business closings, they were or were going to be the supplier for them. They now employ 37 employees with payroll of 1.1 million dollars. They are trying to grow, are thriving and hope to be around a long time. Kemper CPA provides documents, they sign them and check them. Mr. Hubbard thought his documents were supplied properly. They have two different abatements. real and personal. Land is owned by Phoenix Project Corp, LLC and the equipment is owned by Wabash Valley Packaging Corp. The county assessor did not receive the real property paperwork, which was the problem. **Motion:** to approve abatement upon completion and submission of corrected forms, **Action:** Approve, **Moved by** Mark Bird, **Seconded by** Bill Bryan.

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 6).

**Yes:** Bill Bryan, Brad Anderson, Ed Ping, Tim Curley, Mark Bird, and Kathy Miller.

**Adjournment**

**Motion:** to adjourn, **Action:** Adjourn, **Moved by** Tim Curley, **Seconded by:** Bill Bryan. Unanimous vote to adjourn. Yes = 6

**Adjourned at 3:22 p.m.**